

**ENTERED**

April 06, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

7.731 ACRES OF LAND, more or less, in §  
STARR COUNTY, TEXAS; SYLVIA G. §  
SALINAS a/k/a ELVA SYLVIA GUERRA §  
SALINAS; MANUEL S. GUERRA; ROSA §  
MARIA G. GUERRA; RUBEN ROBERTO §  
GUERRA; MARIA DOLORES G. SAENZ; §  
ELIZABETH D. GARCIA; JOEL A. §  
GUERRA III; ANNA G. MUNOZ a/k/a §  
ANA G. MUNOZ; DEBORAH ANN G. §  
PEREZ LUGO a/k/a DEBRA ANN G. §  
PEREZ LUGO; VERN VANDERPOOL; §  
and AMEIDA SALINAS, Starr County Tax §  
Assessor-Collector, §

Defendants. §

CIVIL ACTION NO. 7:20-cv-00250

**ORDER**

The Court now considers “Defendants Sylvia G. Salinas a/k/a Ms. Elva Sylvia Guerra Salinas, Rosa Maria G. Guerra, Ruben Roberto Guerra, Maria Dolores G. Saenz, Joel A. Guerra III, Anna G. Munoz a/k/a Ms. Anna G. Munoz, Manuel S. Guerra, Deborah Ann G. Perez Lugo and Elizabeth Diana Garcia’s Unopposed Second Motion to Extend the Stay on Construction and Motion to Extend the Stay on Condemnation Proceedings.”<sup>1</sup> Because the motion is unopposed,<sup>2</sup> the Court considers it as soon as practicable.<sup>3</sup>

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<sup>1</sup> Dkt. No. 23.

<sup>2</sup> See *id.* at 5.

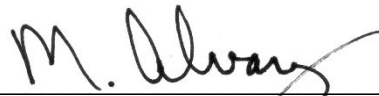
<sup>3</sup> LR7.2 (“Motions without opposition and their proposed orders must bear in their caption ‘unopposed.’ They will be considered as soon as it is practicable.”).

This case is an action by the United States to take land to construct and operate fencing, roads, and related structures to secure the United States/Mexico southern international border.<sup>4</sup> On January 20, 2021, President Joe Biden issued a proclamation entitled “Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction” which, among other things, directed the applicable executive departments and agencies to “develop a plan for the redirection of funds concerning the southern border wall” no later than March 21, 2021, and directed a pause on work on the southern border wall while the plan was being developed.<sup>5</sup> Upon Defendants’ unopposed motion and consistent with the pause granted by the proclamation, the Court revised its scheduling order.<sup>6</sup> In the instant motion, Defendants explain that they have not received a plan or guidance with respect to the southern border wall and therefore request an additional 60 day stay of all deadlines.<sup>7</sup>

“A district court has inherent power ‘to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants,’”<sup>8</sup> but the Court must not grant immoderate, indefinite, or unreasonable stays.<sup>9</sup> Here, Defendants’ motion was filed twelve days after the plan was to be developed and specifies no reason for why the plan was not developed during the initial pause period or why a stay of 60 more days will be sufficient. Accordingly, the Court does not find further stay warranted. Defendants’ motion<sup>10</sup> is **DENIED**. The deadlines issued in the Court’s February 3, 2021 order remain in place.<sup>11</sup>

IT IS SO ORDERED.

DONE at McAllen, Texas, this 6th day of April 2021.



Micaela Alvarez  
United States District Judge

<sup>4</sup> See Dkt. No. 1.

<sup>5</sup> Proclamation No. 10142, §§ 1–2, 86 Fed. Reg. 7,225, 2021 WL 197402 (Jan. 20, 2021).

<sup>6</sup> Dkt. No. 22.

<sup>7</sup> Dkt. No. 23 at 3–4, ¶ 8.

<sup>8</sup> *United States v. Colomb*, 419 F.3d 292, 299 (5th Cir. 2005) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)).

<sup>9</sup> *Wedgeworth v. Fibreboard Corp.*, 706 F.2d 541, 545 (5th Cir. 1983).

<sup>10</sup> Dkt. No. 23.

<sup>11</sup> Dkt. No. 22.